



PATENT
5838-01000

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors believe they are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled VENTRICULAR RESTORATION PATCH APPARATUS AND METHOD OF USE, the specification of which:

- ☐ is attached herewith.
☒ was filed on May 24, 2001 as Application Serial No. 09/864,793.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

			<u>Priority Claimed</u>
N/A			Yes/No
(Number)	(Country)	(Date Filed)	
N/A			Yes/No
(Number)	(Country)	(Date Filed)	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

N/A		<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
N/A		<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)

I hereby claim the benefit under title 35, United States code §119(e) of any United States provisional application(s) listed below:

60/272,073	February 28, 2001
(Application Serial No.)	(Filing Date)
N/A	
(Application Serial No.)	(Filing Date)

I hereby revoke any previous Powers of Attorney and appoint (1) the practitioners at Customer Number 35690, and (2):

Mark K. Brightwell	Reg. No. 47,446
Brenna A. Brock	Reg. No. 48,509
Jason L. Burgess	Reg. No. 50,380
Kay A. Colapret	Reg. No. 52,759
Steve J. Curran	Reg. No. 50,664
Mark R. DeLuca	Reg. No. 44,649
Russell Henrichs	Reg. No. 50,354
Erik A. Heter	Reg. No. 50,652
Jeffrey C. Hood	Reg. No. 35,198
B. Noël Kivlin	Reg. No. 33,929
Robert C. Kowert	Reg. No. 39,255
Mark Lupkowski	Reg. No. 49,010
Lawrence J. Merkel	Reg. No. 41,191
Eric B. Meyertons	Reg. No. 34,876
Jason L. Moore	Reg. No. 52,046
Neal E. Persky	Reg. No. 53,452
Liza Philip	Reg. No. 51,352
David W. Quimby	Reg. No. 39,338
Rory D. Rankin	Reg. No. 47,884
Gareth Sampson	Reg. No. 52,191
Chris Thompson	Reg. No. 43,188
Mark S. Williams	Reg. No. 50,658


each an attorney or agent of the firm of MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

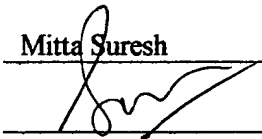
Please direct all communications as follows:

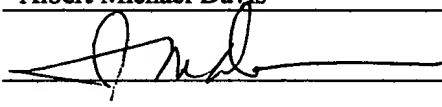
Eric B. Meyertons
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.P.O. Box 398
Austin, Texas 78767-0398
Ph: (512) 853-8800

I hereby declare that all statements made of my own knowledge are true and that all statements made

on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Gregory Murphy
Inventor's Signature:  Date: 5-8-03
Country of Residence: United States Citizenship: United States
Residence Address: 4813 Red Fox Drive, Annandale, VA 22033
(Include number, street name, city, state and zip code)

Inventor's Full Name: Mitta Suresh
Inventor's Signature:  Date: 5/13/03
Country of Residence: United States Citizenship: India
Residence Address: 3201 Tam O'Shanter Lane, Richardson, TX 75080
(Include number, street name, city, state and zip code)

Inventor's Full Name: Albert Michael Davis
Inventor's Signature:  Date: 5/13/03
Country of Residence: United States Citizenship: United States
Residence Address: 304 Arborcrest Drive, Richardson, TX 75080
(Include number, street name, city, state and zip code)